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03/05/03

PATENT

ATTORNEY DOCKET N°: PTG 02-82-2
EXPRESS MAIL LABEL N°: EV 338 284 027 US

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08/05/03

NONPROVISIONAL PATENT APPLICATION TRANSMITTAL LETTER

MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing is the patent application of:

INVENTOR: Robert F. Burkholder
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Jackson, TN 38305
Citizen of United States

David V. Keller
96 Willowridge Circle
Jackson, TN 38305
Citizen of United States

Matthew A. Smith
162 Weatheridge Drive
Jackson, TN 38305
Citizen of United States

Title: **Marine and Pool Cleaner**

CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this Nonprovisional Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, August 5, 2003 in an envelope as "Express Mail Post Office to Addressee", Mailing Label N° EV 338 284 027 US, with sufficient postage, addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ReNea D. Berggren

DATED: August 5, 2003

1. Type of Application

This is a Nonprovisional Application.

2. Benefit of Prior U.S. Application(s) (35 U.S.C. § 119(e))

<u>USPSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>
60/401,648	8/6/2002	Burkholder, et al.	Pending

3. Papers Enclosed That Are Required for Filing Date under 37 C.F.R. §1.53(b) (Regular) or 37 C.F.R. §1.153 (Design) Application

Sixteen (16) Pages of Specification;

Seven (7) Pages of Claims;

One (1) Page of Abstract; and

Nine (9) Sheets of Drawing Figures.

4. Additional Papers Enclosed

Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) is attached.

5. Declaration or Oath

Signed Declaration and Power of Attorney is attached.

6. Inventorship Statement

The inventorship for all the claims in this application are the same.

7. Language

English.

8. Assignment

Signed Assignment and Recordation Form Cover Sheet are attached.

9. Certified Copy

None are required.

10. Fee Calculation (37 C.F.R. §1.16)

BASIC FEE

Standard Fee	\$750.00	\$750.00
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EXCESS CLAIM FEE

TOTAL OVER TWENTY	35	-20	0	15	\$18.00	\$270.00
INDEPENDENT OVER THREE	3	-3	0	0	\$84.00	\$0.00
MULTIPLE DEPENDENT					\$280.00	\$0.00
ASSIGNMENT RECORDATION FEE					\$40.00	\$40.00
TOTAL FILING FEES						<u>\$1,060.00</u>

- 11. Small Entity Status**-Applicant **does not** request small entity status under 37 C.F.R. § 1.27.
 - 12. Request for International - Type Search (37 C.F.R. §1.104(d))**
- None required.
- 13. Authorization to Charge Fees**

The Commissioner is hereby authorized to charge the filing fees of **\$1,060.00** to Deposit Account Nº 19-4882. Please charge any underpayments related to this filing or credit any excess to Deposit Account Nº 19-4882. A copy of this *Transmittal* is enclosed for accounting purposes only.

Please direct all correspondence and telephone calls to:



23531
PATENT TRADEMARK OFFICE

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DATED: August 5, 2003.

Respectfully submitted,

Robert F. Burkholder et al.,
Porter-Cable Corporation,

By 
R. Christopher Rueppell
Reg. Nº 47,045

This Transmittal Ends With This Page.

PATENT
Attorney Docket N°: PTG 02-82-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Robert F. Burkholder
Express Mail N° : EV 338 284 027 US
Filed : August 5, 2003
For : **Marine and Pool Cleaner**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST AND CERTIFICATION
UNDER 35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Dated: August 5, 2003



R. Christopher Rueppell
Reg. N° 47,045

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**